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June 29, 2017

United States District Court
Middle District of North Carolina
324 W. Market Street
Greensboro, NC 27401

Judges James A. Wynn, Jr., Thomas D. Schroeder and Catherine C. Eagles:

We write you today concerning *North Carolina v. Covington* and the pending decision regarding the redrawing of our state's legislative districts.

Common Cause NC is a nonpartisan organization with a long history advocating for an impartial, nonpartisan process for drawing legislative and congressional districts in North Carolina, both when Democrats were in control of the General Assembly and now with Republicans in control. We believe that a more neutral process would produce more competitive districts that better reflect the state as a whole, which, in the end, benefits the citizens of North Carolina.

As we have seen, and as multiple court rulings validate, the N.C. General Assembly has proven itself incapable of drawing maps that pass constitutional muster and judicial scrutiny. Most recently, when forced by the courts to redraw congressional districts in 2016, leadership in the General Assembly openly admitted that new districts would be drawn to maximize partisan advantage for the Republican Party.

Therefore, we respectfully call on this court to require the use of strict, nonpartisan criteria when creating a new state legislative district plan.

At Common Cause NC, we have hosted two simulations, conducted by well-respected bipartisan entities, where nonpartisan criteria were followed in drawing congressional and legislative districts. The process works and resulted in districts that were more compact, met the requirements of the Voting Rights Act and resulted in more competitive districts.

Enclosed are copies of those maps and the nonpartisan criteria followed.

We hope you will give this request consideration when determining how to move forward in *North Carolina v. Covington* and the appropriate remedy for redrawn legislative districts.

Sincerely,

Bob Phillips, Executive Director
Common Cause North Carolina

Bipartisan legislation introduced in 2017. The same bill had 63 sponsors and co-sponsors in the NC House in 2015 and passed the NC House by a bipartisan vote of 88-27 in 2011.

Redistricting standards.

- (a) Legislative and congressional districts shall be established on the basis of population
- (b) Senatorial and representative districts, respectively, shall each have a population that is within five percent (5%) of the ideal population for that district.
- (c) Congressional districts shall each have a population as nearly equal as practicable to the ideal population, but in all cases within one-tenth of a percent (0.1%) of the ideal population.
- (d) Legislative and congressional districts shall be drawn in a manner that complies with requirements of federal and State law.
- (e) To the extent consistent with other standards provided by this section, district boundaries in a plan shall coincide with the boundaries of political subdivisions of the State. In Senate and State House plans, the "whole county" requirements established by the North Carolina Constitution shall be complied with in a manner consistent with federal law. The number of counties and cities divided among more than one district shall be as small as possible, but in the case of cities located in more than one county, minimizing the division of counties prevails.
- (f) Districts shall be composed of convenient contiguous territory. Areas which meet only at the points of adjoining corners are not contiguous.
- (g) Districts shall be reasonably compact in form, to the extent consistent with the standards established by this section. In general, reasonably compact districts are those which are square, rectangular, or hexagonal in shape, and not irregularly shaped, to the extent of natural or political boundaries.
- (h) No district shall be drawn for the purpose of favoring a political party, incumbent legislator, or member of Congress, or other person or group, or for the purpose of augmenting or diluting the voting strength of a language or racial minority group. In establishing districts, no use shall be made of any of the addresses or geographic locations of incumbents

Except to the extent required by the NC and US Constitutions, the Voting Rights Act of 1965, and applicable court decisions, no use shall be made of:

- (1) Political affiliations of registered voters.
- (2) Previous election results.
- (3) Demographic information, other than population head counts